

TITLE 27 PUBLIC SAFETY

- Chapter 1. Chief of Police - (Guam Police Department)
2. Civil Defense Agency
(No rules filed.)

CHAPTER 1 CHIEF OF POLICE (GUAM POLICE DEPARTMENT)

- Article 1 Firearms Registration and ID Card
2. Explosives. (No rules filed.)
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NOTE: P.L. 17-78 repealed and reenacted GC §5102, establishing the Guam Police Department in place of the Department of Public Safety; P.L. 17-78:2 established the Guam Fire Department. Later this section was repealed and reenacted at 10 GCA §77109. Accordingly, references to **Director** and **Department of Public Safety** will reflect these changes.

Article 1

Firearms Registration and ID Card

- §1101. Authority.
§1102. History.
§1103. Procedures.

NOTE: Rule-making authority cited, 10 GCA §60108 and 60122, and 5 GCA Chapter 9 Article 3. These rules were filed with the Legislative Secretary on July 2, 1984.

§1101. Authority. The authority for these Rules and Regulations is derived from Title 10, Chapter 60, §§60108 and 60122, Guam Code Annotated and 5 GCA Chapter 9 Article 3, and amendments thereto.

§1102. History. In order to comply with the provision of §60108, Chapter 60, Title 10, GCA, every applicant requesting issuance of a Firearm ID Card must be fingerprinted and the fingerprint card is forwarded to the Federal Bureau of Investigation (FBI, Washington, D. C., with a request for a criminal records check on the applicant.

Since the Federal Government (FBI) under Public Law No. 92-544, implemented a user-fee system whereby

charging \$12.00 for every fingerprint processed, it is imperative that the cost for such information be borne by the applicant.

§1103. Procedures. (a) Firearm Identification Card.

Pursuant to 10 GCA, §60120 and in conjunction with the Administrative Adjudication Act, the following shall be the established Guam Police Department Rules and Regulations governing the issuance of a Firearm Identification Card:

(1) No person shall be issued a Firearm Identification Card who has been convicted by any court of the United States, a State, Territory, possession, Trust Territory or political subdivision thereof, of any felony; or who is an alien; or who is under indictment for a felony offense; or who has been adjudicated incompetent; or who has been committed to any mental institution; or who is under the age of eighteen (18); or any misdemeanor of which a firearm was an element or factor of the offense.

(2) Eligible applicants shall appear at the Records and Identification Division, Guam Police Department to apply for a non- concealed and/or concealed Firearm Identification Card.

(3) The Division personnel shall:

(A) Witness the completion of the firearm application (questionnaire) and write their signature on the bottom left line "witness" space provided and date their signature;

(B) Write the date of application on bottom right portion of firearm application form;

(C) Fingerprint applicant on Form #258 (fingerprint card) and sign the form on the space provided. Prepare Field Receipt and collect twelve dollars (\$12.00) for the FBI user-fee. The money received shall be turned over to the Division Officer- in-Charge, for accountability, safeguarding and proper disbursement to the FBI. A monthly audit of all FBI user fee funds will be conducted by the Division Officer-in-Charge and verified by the Assistant Division Officer-in-Charge. The audit report shall be forwarded to the Chief of Police via proper channels. Any discrepancy noted shall be brought to the attention of the Chief, Management Services Bureau.

(D) Advise applicant to contact the Records Division within thirty days to inquire of the status of their application.

(4) To process a new applicant, Records Division personnel shall:

(A) Thoroughly check person's files and FBI criminal records to ensure no record of court convictions as per §1103.A(1) of these rules. Also, check with the Attorney General's Office to verify if any felony or misdemeanor weapons cases are pending.

(B) Record application's name in the firearm logbook;

(C) Write assigned number (F82-0001) on the upper right portion of the application, the fingerprint number (FP32-621) below it and Field Receipt number (FR24-06293) below the fingerprint number;

(D) Enter the applicant's fingerprint number (if any) in the OCA space provided and the assigned F/A number in the MISC space provided on the fingerprint card;

(E) Write signature on bottom line "witness" space provided and date record was checked;

(F) Type the Firearm Identification Card as illustrated below:

F82-0001

NEW _____
SIGNATURE OF
AUTHORIZED REPRESENTATIVE _____
CHIEF OF POLICE _____

(G) Take two pictures of the applicant after he/she signs their card and it has been validated by the signature of the authorized personnel;

The laminated picture goes to the applicant; the other pictures is stapled together with the fingerprint card application and placed in the tray;

(H) Prepare Field Receipt and collect five dollars (\$5.00) before issuing the Firearm Identification Card.

(5) To process a renewal of Firearm Identification Card, personnel shall:

(A) Follow the same procedure as a new application, except that the twelve dollars (\$12.00) user-fee shall not be collected. The fee charged for renewal shall be the same as for a new card (\$5.00);

(B) Write the person's fingerprint number on back of the expired Firearm Permit (ID);

(C) Type "renewal" instead of "new".

(6) To process a request for copy of Firearm Identification Card, personnel shall:

(A) Request personnel assigned to the Firearm Section to pull out person's Firearm Card from the files;

(B) Type the word "copy" and date issued on the upper right portion of the card.

(C) Take picture of person;

(D) The fee charged for copy shall be the same as for a new card (\$5.00)

(7) Applicant(s) for a concealed Firearm Identification Card shall adhere to the same procedures as for non-concealed with minimal disparity.

(A) The person is processed by the Records Division personnel and the application form is routed to the Director through the Legal Affairs Office to determine if justification is in conformity with the existing law to carry a concealed firearm;

(B) The Chief of Police is the sole authority to approve or disapprove the application;

(C) Upon completion of the process, the Records Division personnel shall contact the applicant concerned to apprise him/her of whatever action was taken.

(8) Service charge for concealed, non- concealed Firearm identification Card shall be five dollars (\$5.00).

(A) If payment is in the form of a personal check (Personalized Only), applicant shall address it to the Treasurer of Guam.

(9) Identifying and Processing Expired Firearm ID Card.

(A) Every three years, the Firearm ID Card files will be reviewed to determine those ID cards which are expired. Expired ID cards shall be removed from the active files and placed in the expired or inactive files for a period of three years at which time the expired ID card will be destroyed.

(B) A listing of all expired ID cards by Name, Card Number, Date of Expiration and Date of Destruction, will be maintained on file.

(C) Chief, Police Operations and the Attorney General's Office must be provided with a copy of the listing.

(10) Filing of Firearm Identification Cards.

(A) **New Firearm Applicant Fingerprint Card.** Assign fingerprint number for new firearm applicants, if there is no prior fingerprint on file. Prepare fingerprint index, file alphabetically, and prepare a jacket and file fingerprints and picture into jacket file numerically.

(B) **Renewal Firearm ID Photo.** Renewal of Firearm ID would indicate individual's fingerprint number from prior file and these pictures are filed in their jackets numerically.

(C) **Firearm ID Card (New).** Review cards to assure all information of identification are in order and file the card alphabetically. Renewal - pull out expired ID card on file and replace it with renewed ID.

(D) **Firearm Application.** Assure all information on processed applications are in order. If approved, the Firearm application is filed numerically in a folder for approved current applications. New applications pending the thirty day waiting period are filed alphabetically.

(E) **Concealed Application.** Concealed applications received are reviewed and police records check is done before forwarding the application to Legal Affairs Office. When application is returned from the Chief of Police's office approved, prepare the concealed

Identification card and file application in approved concealed folder alphabetically. Disapproved applications are filed in disapproved concealed folder alphabetically.

(11) Temporary Firearm Identification Card for Private Security Officer Issuance Procedures.

(A) All applicants for Temporary Firearm ID Card shall:

1. Comply with the provisions set forth in Sections 60106-60108, Chapter 60 Title 10, Guam Code Annotated;

2. Submit a written request for a Temporary Firearm ID card to the Chief of Police, accompanied by a written firearms training certification by a certified Security Officer Trainer.

3. Provide Guam Police Department with a copy of employment verification;

4. Complete Guam Police Department Temporary Firearm ID Card application form.

(B) Comply with the provisions set forth in Section A.(3) and (4) above.

(C) Renewal and request for copy of the Temporary Firearm ID Card shall be the same as the procedures set forth in Section (5) and (6) above.

(D) All Temporary Firearm ID Cards returned due to termination or resignation of an individual from a security agency shall be attached to the individual's original Firearm ID card form (white non-photographed, non-laminated form). Record of such return shall be noted on the original card to show the date of return and the name of the employee receiving the returned card. Both cards, the original and the laminated cards shall be filed in the individual's fingerprint card jacket.

(b) **Firearm Registration.** Pursuant to 10 GCA, §60120, the following shall be the established Guam Police Department rules and regulations governing firearm registration:

(1) A person shall not purchase a firearm from a gun dealer and/or another person without a Firearm Identification Card.

(2) After purchase from a gun dealer/or another person, the owner shall register such firearm within three working days with the Guam Police Department's Records and Identification Division.

(3) When a person wishes to transfer his/her firearm to another person, both parties must be present at the Records Division with the firearm so that authorized officials can witness the transaction including verification and test firing of the firearm are performed. Note: Each person registering a firearm must provide the Guam Police Department Crime Lab with three live ammunition for test firing.

(4) To process the registration of a firearm, Records Division personnel shall:

(A) Ascertain that applicant has a valid Firearm Identification Card;

(B) Check the firearm to determine if it corresponds with certificate of ownership and/or a notarized documentation containing a valid description of the firearm and other pertinent information of applicant.

(C) Insure that a test firing of the firearm by the Guam Police Department Crime Lab has been performed and a sample from each firearm expended cartridge and or shell and projectile are marked, retrieved, and safeguarded by the Guam Police Department.

(D) Type Firearm Certificate of Registration in triplicate.

1. Type applicant's name, last name first in capital letters on the left upper portion of the firearm certificate.

2. Type the firearm serial number on the right upper portion of firearm certificate.

3. Write the Field Receipt number above the first line on the right upper portion of certificate.

4. Type name of gun dealer in "source from where obtained" space provided.

5. Type "New Registration" in "Additional Information" space provided.

(5) To process a renewal of Firearm Certificate of Registration, Records Division personnel shall:

(A) Follow the same procedures as a new application.

NOTE: Applicants are required to bring their firearm, expired firearm certificate of registration (original), and test firing must have been accomplished as per Paragraph B.(4) c., above.

(B) Type the word "Renewal" in the "Additional Information" space provided.

(6) To process a transfer of Firearm Certificate of Registration".

(A) Follow the same procedures as a new applicant.

(B) Type full name of person (seller) and Firearm Identification Card number in "source from where obtained" space provided.

(C) Type the word "Transfer" in "Additional Information" space provided.

(7) To obtain a copy of Firearm Certificate of Registration, Records Division personnel shall:

(A) Request personnel assigned to Firearm Section to pull out the person's copy from the files.

(B) Follow the same procedures in typing out the Firearm Certificate of Registration.

(C) Type the word "Copy" in "Additional Information" space provided.

(8) Filing of Firearms Registration - Two Copies.

(A). **WHITE - NEW** registrations are attached to affidavit of ownership or bill of sale and are filed alphabetically.

TRANSFER registrations are attached to transfer documents, the registration under the original owner is pulled out from the files and current registration is filed under the new registered owner.

RENEWAL - Upon renewal of an expired Firearm registration, it is replaced with

the current registration. The expired registration is then destroyed.

(B) **PINK - NEW** registration are filed numerically by the last three digits of the firearm serial number. Transfer/ Renewal - the registration on file is removed and replaced by the current registration.

(c) **Concealed Firearm Permit.** Pursuant to §60109, GCA, the following shall be the established Guam Police Department Rules and Regulations governing the use of Concealed Firearm Permit:

(1) Unless otherwise specified, all personnel with an approved Concealed Firearm Permit shall immediately surrender the Firearm ID Card to the Guam Police Department Records when:

(A) Under indictment of a felony or misdemeanor involving personal injury in which the firearm is an element or factor of the crime.

(B) Reported to be inflicted with a mental disease or physical illness which would medically incapacitate the person from responsibly using a firearm.

(C) No longer employed to which the Concealed Firearm Permit was authorized.

(2) Reference to Paragraph C.(1).a. and b. above, the Firearm ID Card will be returned to the person after it has been determined by competent authority that the person is mentally and physically capable to carry a firearm or when the indictment has been overturned or dismissed with prejudice by the court.

(3) Limited Use of Concealed Firearm Permit. Personnel with an approved Concealed Firearm Permit for purposes listed below shall not carry a firearm concealed after accomplishing the task involved or after working hours:

(A) Transporting large sums of money.

(B) Private Security Officer assigned as store detectives or other investigative work.

(C) Traveling to and from work.

(D) Store owners or managers when not actually in the premises of the business establishment being protected.

(d) Registration of Firearm Owned by Deceased or Incapacitated Person. The following shall be the established procedures to register a firearm whose registered owner is deceased or incapacitated to the extent that he/she is no longer mentally able to do so:

(1) The wife, husband, or adult children of the deceased or incapacitated registered owner in possession of a valid Firearms ID Card may register any and all firearms upon expiration date of the firearm registered.

(2) When awaiting probate of the owner's estate to which firearm is included, the wife, husband, or adult children of the deceased who is in possession of a valid Firearms ID Card may register.

(e) Firearms Dealers, Manufacturers, Wholesalers, Retailers, Bi-Weekly Sales Report. In pursuant to 10 GCA §60116, the following shall be the established policies and procedures which must be complied with by all firearm dealers, wholesalers, retailers and/or vendors who sell firearms:

(1) All sales of firearms shall be reported to Guam Police Department Records on a bi-weekly basis citing the following:

- (A) Type of firearms
- (B) Make
- (C) Model
- (D) Caliber
- (E) Buyer's name, address, and Firearm ID Card Number
- (F) Number of firearms sold.
- (G) Date Firearm was sold

(f) Firearm ID Card Issued to Foreign National. A foreign national who is in Guam on a temporary basis will not be issued a Firearm ID Card. A foreign national acting in the capacity of an official representative as a member of an established consulate in Guam may be issued a Temporary Firearm ID Card only upon written authorization from the principal officer of the consulate and the Chief of Police. A Temporary Firearm I.D. Card issued pursuant to such written approval, would be for a limited period not to exceed 30 days. A person may be

allowed to reapply for a Temporary Firearm I.D. Card, subject to the above conditions. A foreign national who is a visitor to Guam will not be issued a Firearm ID Card.

Article 2
Explosives
(No rules filed.)

NOTE: Rule-making authority cited for formulation of regulations on explosives, see 10 GCA §61109.

Article 3
Motor Vehicle Code Registration

- §1301. Roadway Markings: Authority.
- §1302. Same: Pavement Markings.
- §1303. Same: Colors.
- §1304. Same: Longitudinal Marking.
- §1305. Same: Regulatory Meanings of Lines.
- §1306. Same: Transverse Marking.
- §1307. Same: Illustrations.
- §1308. Seat Belts: Authority.
- §1309. Same: Definitions.
- §1310. Same: Scope and Application.
- §1311. Same: General Requirements.
- §1312. Same: Requirements for Assembly Performance.
- §1313. Same: Effective Date.
- §1314. Safety Helmets.

NOTE: Rule-making authority cited for formulation of motor vehicle regulations on roadway markings by the Director of Public Safety, 16 GCA §§3309 and 3311.

The Motor Vehicle Code is found in 16 GCA Chapter 15. Although the Safety Helmet Regulation (Regulation No. 66-1) and the Seat Belt Regulation (Regulation No. 66-2) were adopted prior to the 1975 publication of the Guam Administrative Rules, these rules were not filed with the Legislative Secretary until May 19, 1975 and therefore are not contained in the 1975 publication of the Guam Administrative Rules, Motor Vehicle Code Regulations. Because of the subject matter of these rules, the Editor thought it appropriate to incorporate the Safety Helmet regulation and the Seat Belt Regulation with the 1975 publication of the Guam Administrative Rules, Motor Vehicle Code Regulations.

The Motor Vehicle Code regulations are reprinted here in form as exact as possible to those filed with the Legislative Secretary. The substance of the regulations has not been changed. However, for the purpose of uniformity and ease of use, a new system of numbering has been adopted by the Editor. It is hoped that the revised numerical system will eventually be substituted for that formulated by the director of Public Safety.

§1301. Roadway Markings: Authority. Pursuant to authority vested in the Police Department by 16 GCA §3309 and §3311, the following regulations pertaining to pavement markings, their meanings and effects upon traffic are hereby adopted and promulgated.

§1302. Same: Pavement Marking. Pavement markings shall be designated by lines painted on the highway, by tapes, by ceramic dots or by reflective markers cemented to the highway.

§1303. Same: Colors. Pavement markings shall be white (clear), yellow or red in color.

§1304. Same: Longitudinal Marking. The following longitudinal pavement markings shall be used on the public highways of Guam:

(a) White, solid or broken lines between four (4) and six (6) inches in width. (Plate 3a, 3b)

(b) Yellow, solid or broken lines between four (4) and six (6) inches in width. (Plate 3a, 3c)

§1305. Same: Regulatory Meaning of Lines. The above mentioned markings shall have the following permissive and restrictive meanings when placed upon the highways of Guam and the same shall be enforced by the Department of Public Safety pursuant to 16 GCA §3309 and §3311 and punishable under §9109 (as amended by Public Law 13-187), all of the Vehicle Code of Guam:

(a) A broken white line shall designate the edge of a lane of travel where travel is permitted in the same direction on both sides of the line, where lane changing is permitted or where passing is permitted. (Plate 4a)

(b) A broken yellow line shall designate the left edge of a travel lane where travel on the other side of the line is in the opposite direction, such as the center of a two-lane, two-way roadway where overtaking and passing is permitted with due care and caution. (Plate 4b)

(c) A solid white line shall designate the edge of a travelled lane where travel in the same direction is permitted on both sides of the line, but crossing the line is hazardous, such as a line designating the right hand edge of the travelled portion of the highway, or where the solid white line is used to designate two (2) separate lanes in the same direction approaching an intersection. Crossing a solid white line is not prohibited, but must be done with great caution. (Plate 4c)

(d) A double solid white line shall designate a travelled lane where travel in the same direction is permitted on both sides of the line, but where crossing the solid double white line is prohibited. (Plate 4d)

(e) A double line consisting of a normal broken yellow line and a normal solid yellow line shall designate a separation between travelled lanes in opposite directions where overtaking and passing is permitted with care for traffic adjacent to the broken line and is prohibited for traffic adjacent to the solid line. This marking may be used to regulate passing and to delineate the edges of a two-way

left turn lane in which no travel is permitted, except as a part of a left turn maneuver. (Plate 4e)(P1) Where the center lane is to be used as a left hand turn lane, or a lane for receiving traffic which has turned left onto the roadway in question, the markings are to be placed with the solid lines on the outside and the broken lines on the inside of the turning lane. Traffic adjacent to the solid line may cross this marking with care only as part of a left turn maneuver. (Plate 4e)(P2)

(f) A double line consisting of two (2) or more normal solid yellow lines shall designate the separation between travelled lanes in opposite directions where overtaking and passing is prohibited in both directions. Crossing this marking with care is permitted only as a part of a left turn maneuver. (Plate 4f)

(g) A solid yellow edge line delineates the left edge of a travel path (or travelled lane) to indicate a restriction against passing on the left or delineates the left edge of each roadway of divided streets or highways.

§1306. Same: Transverse Marking. Transverse markings including shoulder markings, word and symbol markings, stop lines, cross-walk lines and parking space markings shall be white, except that:

(a) Transverse median marking shall be yellow.

(b) Line, word and symbol markings visible only to traffic preceding in the wrong direction on a one-way roadway shall be in red.

(c) Line, word and symbol marking shall be obeyed according to the tenor of said markings.

§1307. Illustrations. Attached hereto and made a part hereof are Exhibits 1 through 10 illustrating the markings, lines, words and symbols adopted by these regulations.

§1308. Seat Belts: Authority. Pursuant to Public Law 8-177, the following rules and regulations establishing specifications or requirements for approved-type safety belts for new passenger motor vehicles are hereby adopted. The purpose of these standards is to provide the public with safe seat belts so that passenger injuries in traffic accidents can be kept to a minimum.

The standards set forth below are mandatory after January 1, 1967. Done at Agana, Guam, this twenty-first day of December, 1966.

§1309. Same: Definitions. (a) The term *motor vehicle* means passenger motor vehicle excluding motorcycles. For the purpose of this regulation motor vehicle includes only new passenger vehicles other than motorcycles.

(b) The term *seat belt* means any strap webbing of similar device designed to secure a person in a motor vehicle in order to mitigate the results of any accident, including all necessary buckles and other fasteners, and all hardware designed for installing such seat belt assembly in a motor vehicle.

(c) *Application.* No person shall sell or offer for sale any new passenger vehicle, other than a motorcycle, which is not equipped with at least two (2) safety belts or safety belt shoulder harness combinations as provided in §1311 of this regulation. This Section only applies to a retail sale of, or an offer to sell at retail, a new passenger vehicle.

§1310. Same: Scope and Application. The standards prescribed herein shall apply to any seat belt for use in a motor vehicle, including sale, or offering or keeping for sale, any safety belt, safety harness, attachments thereto and installation hardware. Standards are prescribed for the following types of seat belt assembly:

(a) Type 1 seat belt assembly is a lap belt for pelvic restraint.

(b) Type 2 seat belt assembly is a combination of pelvic and upper torso restraints.

(c) Type 3 seat belt assembly is a combination pelvic and upper torso restraint for persons weighing not more than fifty (50) pounds and capable of sitting upright by themselves, that is children in the approximate age range of eight (8) months to six (6) years.

§1311. Same: General Requirements. (a) **Single Occupancy.** A seat belt assembly shall be designed for use by one, and only one, person at any one time.

(b) **Pelvic Restraint.** A seat belt assembly shall provide pelvic restraint whether or not upper torso restraint is provided, and the pelvic restraint shall be designed to remain on the pelvis under all conditions including collision or roll-over of the motor vehicle. Pelvic restraint of a Type 2 seat belt assembly that can be used without upper torso restraint shall comply with requirements for Type 1 seat belt assembly in §1310 of this regulation.

(c) **Upper Torso Restraint.** A Type 2 or Type 3 seat belt assembly shall provide upper torso restraint without shifting the pelvic restraint into the abdominal region. An upper torso restraint shall be designed to minimize vertical forces on the shoulders and spine.

(d) **Hardware.** All hardware parts which contact under normal usage, a person, clothing or webbing, shall be free from burrs and sharp edges.

(e) **Release.** A Type 1 or Type 2 seat belt assembly shall be provided with a buckle or buckles readily accessible to the occupant to permit his easy and rapid removal from the assembly. A Type 3 seat belt assembly shall be provided with a quickly recognizable and easily operated release arrangement, readily accessible to an adult. Buckle release mechanism shall be designed to minimize the possibility of accidental release.

(f) **Hardware Attachment.** The hardware shall be designed to prevent attaching belts and other parts becoming disengaged from the vehicle in service.

(g) **Adjustment.** A Type 1 and Type 2 seat belt assembly shall be capable of snug adjustment by the occupant by means easily within his reach and easily operable without appreciable interference with the driving process, or shall be provided with an automatic-locking or emergency retractor. A Type 3 seat belt assembly shall be capable of snug adjustment to fit any child capable of sitting upright and weight not more than fifty (50) pounds unless specifically labelled for use with a child in a smaller weight range.

(h) **Webbing.** The ends of webbing in a seat belt assembly shall be protected or treated to prevent raveling. The end of webbing in a seat belt assembly having a metal-to-metal buckle that is used by the occupant to adjust the size to the assembly shall not pull out of the adjustment hardware at maximum size adjustment.

(i) Requirements for Webbing:

(1) Width. The webbing in a seat belt assembly shall not be less in width than the following dimensions:

(A) Type 1 seat belt assembly - 1.8 inches wide.

(B) Type 2 seat belt assembly - 1.8 inches wide.

(C) Type 3 seat belt assembly - 0.9 inches wide.

(2) Breaking Strength. The webbing in a seat belt assembly shall have not less than the following breaking strength:

- (A) Type 1 seat belt assembly - 6,000 pounds.
- (B) Type 2 seat belt assembly - 4,000 (upper torso).
- ©) Type 3 seat belt assembly - 1,500 pounds (pelvic and upper torso).
- (D) Type 3 seat belt assembly - 4,000 pounds (seat back retainer).

§1312. Same: Requirements for Assembly Performance. (a) **Colorfastness to Crocking.** The webbing in a seat belt assembly shall not transfer to a crock cloth either wet or dry.

(b) **Temperature Resistance.** Plastic or other non-metallic hardware parts of a seat belt assembly and all retractors shall not warp or otherwise deteriorate to cause the assembly to operate improperly.

(c) **Attachment Hardware.** Eye bolts, shoulder bolts or other bolts used to secure the pelvic restraint of a seat belt to a motor vehicle shall withstand a force of five thousand (5,000) pounds.

(d) **Buckle Latch.** The buckle latch of a seat belt assembly shall not fail, nor gall or wear to an extent that normal latching and unlatching is impaired.

(e) **Usage and Maintenance Instruction.** A seat belt assembly shall be accompanied by written instruction for the proper use of the assembly stressing particularly the importance of wearing the assembly snugly and properly located on the body and on the maintenance of the assembly and periodic inspection of all components.

(f) **Strap and Seat Belt Assembly Movement.** The belt assembly including strap shall be designed and installed in such a manner as to prevent or materially reduce movement of the person using the seat belt assembly in event of collision or upset or roll-over of the vehicle.

§1313. Same: Effective Date. The standards, specifications and requirements prescribed herein shall become mandatory after January 1, 1967.

§1314. Safety Helmets. (a) No person shall operate or ride as a passenger on any motorcycle without wearing a safety helmet manufactured in accordance with the following specifications:

(1) **Design.** Constructed to cover a greater portion of the head without restricting visibility and thereby protect the head from injury.

(2) **Color.** White or international orange are recommended to aid observation of cyclists by other motorists and white, silver or orange reflective adhesive materials should be affixed to helmets of other colors for the same reason.

(3) **Exterior Shell.** A hard exterior shell of shatter-proof material, resistant to impact and penetration.

(4) **Cradle.** A firmly secured shock- absorbent cradle for the head, designed to support the helmet and maintain separation between the head and outer shell.

(5) **Padding.** Impact-resistant absorbent padding or cushioning material of substantial thickness in all areas where the head is in close proximity with or may contact the outer shell.

(6) **Chin Strap.** An attached chin strap that will hold the helmet securely in place.

(b) As used in this regulation, a motorcycle is as defined in 16 GCA §1102.

Article 4

Administrator - Territorial Boating Act

NOTE: Rule-making authority cited for formulation of Territorial Boating regulations by the Department of Public Safety, 10 GCA §69115.

§1401. Rules and Regulations Incorporated Herein by Reference. The rules and regulations for the Territorial Boating Act are incorporated herein by reference. (The regulations for the Territorial Boating Act can be found in Title 10.)

Article 5

Veterans' Bonuses

NOTE: Rule-making authority cited for formulation of regulations for veterans' bonuses by the Director of Public Safety, 10 GCA §6820 and §68401.

§1501. Rules and Regulations Incorporated Herein by Reference. The rules and regulations for veterans' bonuses are incorporated herein by reference. (The regulations for veterans' bonuses can be found in 20 GAR Chapter 1.)

Article 6
Shooting Galleries

- §1601. Source.
- §1602. Range Interior.
- §1603. Range Control.
- §1604. Range Ventilation.
- §1605. Back Stop.
- §1606. Shooting Booths.
- §1607. Firearms Control.
- §1608. Miscellaneous.

NOTE: Rule-making authority cited for formulation of regulations for shooting galleries by the Director of Revenue & Taxation, 10 GCA §60105. These Rules and Regulations were filed with the Legislative Secretary on December 11, 1981.

Although these Rules and Regulations were promulgated by the Director of Revenue and Taxation, it is the opinion of the Editor that the subject matter should be published under "Public Safety."

The regulations for shooting galleries are reprinted here in form as exact as possible to those filed with the Legislative Secretary. The substance of the regulations has not been changed. However, for the purpose of uniformity and ease of use, a new system of numbering has been adopted by the Editor. It is hoped that the revised numerical system will eventually be substituted for that formulated by the Director of Revenue and Taxation.

§1601. Source. The following regulations in part, have been extracted from the Standard Criteria for Commercial Indoor Rifle and Pistol Ranges.

1602. Range Interior. The walls, floors and ceiling must be either bullet proof or be made so. This must be a part of the structural strength survey. A building which is built of masonry may be considered to have bullet-proof walls for all practical indoor calibers. These are normally .22; .38; and .45 calibers. Wooden buildings should have adequate wall protection. Wooden floors should be protected in the same manner, as should ceilings.

Exposed doors and windows down range must be permanently shut and covered with bullet proof material.

§1603. Range Control. (a) Procedures for safe conduct on the range must be implemented prior to a permanent license being issued.

(b) A safe range should have walls, ceiling and floor that are either impenetrable to the bullets of the firearms being used within it, or have internal baffling built so that the bullets cannot hit the walls or ceiling. Since the guns being fired normally will be .22; .38; and .45 caliber it follows that walls which are impenetrable to these calibers are adequate. If guns of higher caliber are to be used, additional precautions must be taken accordingly. It is not recommended that high powered rifles be fired at a conventional 45_ steel back stop because of the probability of penetration rather than deflection.

Masonry walls of any type are usually safe in this case. This type of wall should be relatively smooth and free of pilasters or other protrusions. If pilasters, etc. do exist, it is recommended that the surface of the wall be covered by 3/4" plywood or lumber, at least in the area where the protrusions occur. The plywood or lumber should be laid on over standard furring strips so that in case the wood is struck the bullet is not likely to ricochet back out. The space behind the wood acts as a bullet trap.

Existing wooden or plaster type walls on an indoor range should also be smooth and free of protrusions. They should be covered completely with at least two (2) inches of plywood or lumber, attached in the same manner as for a masonry wall.

The plywood or lumber will stop any of the standard .22; .38; or .45 caliber bullets which would normally be used. If a heavier caliber is to be used, tests should be made to determine the protection needed.

Floors which are over another room should be covered with at least two (2) inches of plywood or lumber, as herein described, for at least eight (8) feet in front of the firing line. And by at least one (1) inch from there to the backstop, providing that .45 caliber ACP is the most powerful cartridge in the range.

Since some buildings are constructed using precast concrete, others with steel bar joists for roof or floor supports and still others with wooden beams measures must be taken to eliminate any possibility of ricochet from obstructions or of possible penetration. This can be accomplished by the same thickness of plywood or lumber as noted herein.

Flat metal surfaces parallel with the firing line should be covered with plywood lumber as described herein.

§1604. Range Ventilation. (a) A powered exhaust system must be provided. The supply air must enter behind the firing line, and must be exhausted downrange. Exhausted air from a range should never be exhausted into another room in the same building nor should it be recirculated unless it is first passed through a filter system designed for that purpose.

Air handling system must be designed so that a constant air flow is maintained throughout the range to the point of final exhaust in the target area. This requires that more air is removed at the targets than at the firing line. Velocity of the air flow across the firing line must be maintained at a rate of fifty (50) to seventy-five (75) feet per minute.

§1605. Back Stop. (a) There are three (3) basic configuration of back stops which are considered to be safe. They are:

(1) 45_ steel plate with either water or sand pit. The bullet pit should cover the entire area under the back stop, and should be a minimum of four (4) inch deep. The pit should be mined of accumulated lead deposits on a regular basis. If only .22 caliber rim fire firearms are to be used, a 45_ steel plate can be constructed of one-fourth (1/4) inch thick steel. This thickness should be braced with stiffening members or other suitable supports. If that a minimum of three-eighths (3/8) inch thickness be used, stiffened the same as one-fourth (1/4) inch. Steel plate should be resistant to pitting and denting.

An angle of 45_ or less is the recommended angle for this type of back stop.

(2) Reverse "Escalator" plate with dry lead collector. Only a commercially available unit can be used and must be installed by the manufacturer.

(3) "Venetian Blind" type back stop. Only a commercially available unit can be used and must be installed by the manufacturer.

§1606. Shooting Booths. Commercially operated ranges shall install bullet-proof separations. Booths, which extend more than eighteen (18) inches behind the firing line (defined as the most forward position of the shooter's feet) are not advisable for the following reasons:

(a) They create sections of the range which are concealed from the range officer. Without visual contact with the shooter, the range officer does not have control.

(b) They may create a careless mental attitude toward the handling of firearms because they separate the individuals using them from one another, creating the mental attitude of being relieved of the responsibility to handle firearms in a safe manner.

§1607. Firearms Control. (a) Only those firearms provided by the range operators or as authorized by the range operators will be allowed on the range. All firearms used by the customers will be tethered in the booth to minimize unsafe use. Exception to the tethered requirement will be by request to the licensing authority and only by concurrence of that authority of the validity of the request.

All persons on the range (non-shooters included) during shooting sessions should wear personal hearing protection. The primary manner in which a shooter must protect his hearing is by the use of effective ear plugs or ear muffs. Maximum possible protection is most easily achieved by muff type devices.

§1608. Miscellaneous. (a) All shareholders or principals owning ten percent (10%) or more of subscribed stock or value of, in case of sole proprietorship, must possess a valid Guam Firearms Identification.

(b) A Department of Public Safety clearance must be presented upon application for a license indicating that all such principals or shareholders as indicated in (a) [(1)] above, have no record of a felony offense.

(c) All shareholders or principals as identified in (a) [(1)] above should have at least one (1) year residing in Guam.

(d) At least one (1) shareholder or principal as shown in (a) [(1)] above and who is responsible for the operation of the shooting gallery must have at least six (6) months as instructor or training capacity in firearms.

